

REMARKS

Reconsideration of this application is requested in view of the amendments to the claims and the remarks presented herein.

The claims in the application are claims 1, 4 and 8 to 12, all other claims having been cancelled. It is noted that claims 25 to 36 have been cancelled as being drawn to a non-elected invention but Applicants reserve the right to file a divisional application directed thereto.

Claims 1, 4 and 8 to 12 have been rejected under 35 USC 102 as being anticipated by the Naftchi '933 or the '962 patents and the Examiner maintains the rejection since it is clearly shown in the cited portions of the patent that lipophilic acid and aminoquanidine have been reacted together and are drawn to a compound resulting from the reaction thereof.

Applicants vigorously traverse these grounds of rejection since the Naftchi patents do not anticipate or render obvious Applicants' invention. The Examiner has cited column 133 of the '933 patent and column 119 of the '962 patent. However, neither of these portions of the patents teach Applicants' two-component composition comprising a pharmaceutical consisting essentially of two active ingredients, 1) a NO

synthase inhibitory substance and 2) a metabolic antioxidant substance possessing at least two thiol groups and which intervene in the redox status of thiol groups and optionally, a pharmaceutically acceptable support with the composition having a dual activity of inhibiting NO synthase and an antioxidant activity.

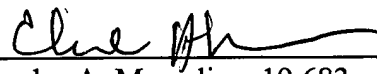
It is clear from the references that there is not a mixture of two components but, rather, a reaction product of the two compounds. In column 119 of the '962 patent, it is stated that there is a reaction between α -lipoic acid and aminoguanidine to form a compound No. 208 in Table 1, namely, N-(1,2-dithiolane-3,3-pentanamido)-guanidine. This is a single compound as a result of the reaction of the two ingredients. In contrast thereto, Applicants' compositions are drawn to two discrete separate and different components and not a reactant of the two ingredients. Claim 1 has been amended to more clearly point this out by indicating that they are separate ingredients. Therefore, the Naftchi patents neither anticipate nor render obvious Applicants' invention. Moreover, they does not teach Applicants NO synthase activity or antioxidant activity for the said compounds.

The same arguments deal with the Naftchi patents under 35 USC 103 since the reaction products disclosed in the references do not render obvious Applicant's compositions of two separate ingredients rather than a reaction product of two compounds. Applicants' compositions of two discrete separate compounds are in no way suggested or rendered obvious by the teachings of the references which relate to a

reaction product. Therefore, withdrawal of these grounds of rejection is requested.

In view of the amendments to the claims and above remarks, it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,
Muserlian, Lucas and Mercanti



Charles A. Muserlian, 19,683
Attorney for Applicants
Tel.# (212) 661-8000

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Enclosure